



# UTILITY COORDINATION

## New IAC rules

Matt Thomas 317-232-5308



# Title 105 IAC Article 13

## Utility Facility Relocation on Construction Contracts

- [www.in.gov/indot/](http://www.in.gov/indot/)
- Doing Business with INDOT
- Other Business

Under “utilities” there is link to the new rule.





- Title 105 IAC Article 13
- Three rules

Rule 1 – General Provisions

Rule 2 – Definitions

Rule 3 - Procedure



# Rule 1 – General Provisions

## Section 1

The purpose of this article is to establish formal procedure for the exchange of information between INDOT/LPA (the department), utilities and the contractor on highway improvement projects.



# General Provisions (cont.)

## Section 2

This article applies to improvement projects, as defined in 105 IAC 13-2-10, when the:

- 1) Department begins the work described in 105 IAC 13-3-1(b) after June 20, 2008; or
- 2) Design survey was completed before June 20, 2008, if the affected utility was provided: (a) response time; and (b) notices; that were in substantial compliance with this article.





## Rule 2 - Definitions

- “Improvement Project” defined

Means the construction, reconstruction, rehabilitation, and process incidental to building, fabricating, or bettering any of the following:



- (1) A state, United States, or interstate route.
- (2) Projects within the state parks or other roadways the department is required by statute to build and maintain.
- (3) A local project administered by the department.
- (4) A project on the state highway system administered by a local authority.

The term does not include routine maintenance.





- “Major project” defined

Means an improvement project that:

- (1) Due to scope and complexity, involves a long term design process of more than twelve (12) months; or
- (2) Is otherwise designated by the department as a major project



- “Minor project” defined

Means an improvement project that:

- (1) Due to scope and complexity, involves a short term design process of less than twelve (12) months; or
- (2) Is otherwise designated by the department as a minor project



# RULE 3 – Procedure Outline

- Identification and Notification
- Verification
- Work Plan Development
  - Conflict review
  - Relocation plans, work plan
- Construction





## Identification

Determine what facilities are located within geographical limits of improvement project.

105 IAC 13-3-1(b)

- Researching permit files.
- Reviewing map files maintained by the department.
- Investigating field conditions.
- Reviewing information provided by IUPPS.
- Contacting local government offices.



# Initial Notice

## 105 IAC 13-3-1(c)

- Each utility will have an authorized representative. The initial notice should always go to this contact person!!
- Each utility is sent a notice of the proposed improvement project.



# Initial Notice

## Utility has 30 days to respond

105 IAC 13-3-1(d)

- Description of type and location of its facilities within geographical limits of proposed improvement project; or
- Statement that they have no facilities in the geographical limits of the improvement project.



# Survey

## 105 IAC 13-3-1 (e) and (f)

- INDOT performs survey utilizing IUPPS.
- Places the information on plans sheets.



# Verification

## 105 IAC 13-3-2

- 2(a) Plan sheets are sent to each utility.
- 2(b) Utility has 30 days to review for accuracy. Declare in writing whether the information is accurate or inaccurate. Detail inaccuracies.
- Failure to respond - accurate





# Work Plan Development

## Conflict analysis

### 105 IAC 13-3-3

- Preliminary plans are mailed to utility.
- Utility has 30 days (minor) or 60 days (major) to review plans and detail in writing conflicts and propose changes.
- INDOT/LPA will review recommended changes and implement where appropriate



# Preliminary Final Plans to Utility

- INDOT/LPA Responsibilities:
  - Provide complete plans to utility
  - Decide when plans reasonably sufficient
  - Provide plans in manner useable by utility
  - Provide plans to utility contact or agent



# Utility responds with work plan

- Within 60 days on Minor projects
- Within 120 days on Major projects

Additional 30 days if coordination needed  
with another utility

Additional time for complex projects but not  
more than 180 days



# What does a work plan include?

- (Identifying Information)
  - Date of plan
  - INDOT Des. No.
  - Project Type
  - Project Location
  - Utility Name - Facility Type
  - Utility Contact





# Work Plan – From Utility

- 105 IAC 13-3-3(c)(1) A narrative description of the facility relocation:
  - Location of existing facilities
  - Disposition of existing facilities
  - Location of proposed facilities



# Work Plan – From Utility

- 105 IAC 13-3-3(c)(2) State whether facility relocation is dependant on
  - A.1 Work by another utility
  - A.2 Work by INDOT/LPA or Contractor
  - B.1 On acquisition of right-of-way
- With a description of that work



# Work Plan – From Utility

- With a description of that work.
  - Right-of-way land acquisition complete
  - Stake proposed right-of-way
  - Existing obstructions to be removed
  - Another Utility to install equipment





# Work Plan – From Utility

- 105 IAC 13-3-3(c)(3) State whether the utility is willing or not willing to allow the contractor to do the required work as part of the highway contract.





# Work Plan – From Utility

- 105 IAC 13-3-3(c)(4) The
  - A. Earliest date when the utility could begin to implement the work plan.
  - B. Number of calendar days to complete the required work.





# Work Plan – From Utility

- 105 IAC 13-3-3(c)(5) The expected lead time in calendar days to:
  - A. Obtain any required permits
  - B. Obtain materials
  - C. Schedule work crews
  - D. Obtain necessary additional right-of-way
  - (Lead time not necessarily sum of above)





# Work Plan – From Utility

- 105 IAC 13-3-3(c)(6) A drawing of sufficient detail and scale to show the proposed location of facility relocation.





# Work Plan – From Utility

- 105 IAC 13-3-3(d) For work the utility is entitled to compensation
  - Cost estimate
  - Credits for betterment
  - Documentation of easements and compensable land rights





## Work Plan – Review by INDOT/LPA

- 105 IAC 13-3-3(e) The Department shall review the work plan
  - 1.A Compatible with permit requirements
  - 1.B Compatible with project plans
  - 1.C Compatible with construction schedule
  - 1.D Compatible w/ other utility relocations



# Work Plan – Review by INDOT/LPA

- 105 IAC 13-3-3(e) The Department shall review the work plan
  - 2.A Reasonable relocation scheme
  - 2.B Reasonable cost for compensable work



## Work Plan – If not acceptable

- IAC 105 13-3-3(f) If the work plan is not compatible or reasonable the Department shall notify the utility by mail as soon as practicable.
  - Utility can revise work plan (30 days).
  - INDOT/LPA propose alternative work plan.
  - Utility has 30 days to accept or reject.
  - INDOT/LPA adopt final work plan.



# Construction

- Utility is notified 30 days prior to being required to begin implementation of work plan. Utility must acknowledge within 15 days.
- Copies of Work Plans included in highway contract
- If utility work is dependent on INDOT contractor the contractor must give them a 15 day and 5 day notice of when their work will be done.



# Construction

- Utility shall notify INDOT/LPA 5 days before beginning field work.
- When the work is complete.
- In writing.



QUESTIONS?

